

## **EXHIBIT 81**

### **Declaration of Marty Davidson**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
CASE NO. 1:14-CV-954**

**STUDENTS FOR FAIR  
ADMISSIONS, INC.,**

**Plaintiff,**

**v.**

**UNIVERSITY OF NORTH  
CAROLINA et al.,**

**Defendants.**

**DECLARATION OF MARTY DAVIDSON**

## DECLARATION OF MARTY DAVIDSON

I, Marty Davidson, hereby make this declaration from my personal knowledge and, if called to testify to these facts, could and would do so competently:

### **Background**

1. I am a Black male from Fanwood, New Jersey.
2. I attended Union Catholic Regional High School, a private school in Scotch Plains, New Jersey.
3. In 2016, I received a Bachelor of Arts in Political Science from The University of North Carolina at Chapel Hill ("UNC-CH"), where I was a member of the Honors Program.
4. I currently am pursuing a doctorate (Ph.D.) in Political Science at the University of Michigan in Ann Arbor.

### **Experience and Involvement at UNC-CH**

5. At UNC-CH, I served as Co-Chair of the Carolina Millennial Scholars Program ("CMSP"). CMSP is a two-year program designed to recruit, connect, and support undergraduate males from diverse backgrounds. First-year CMSP Scholars are encouraged to form a community, to explore campus resources for academic and personal success, and to learn more about leadership principles and opportunities. They also are introduced to academic research. Second-year CMSP Scholars continue their community and academic engagement activities while gaining hands-on experience with research, leadership, and networking.

6. I also was elected to serve as a Vice Chair of the UNC-CH Honor System ("Honor System"). The Honor System is responsible for adjudicating alleged violations of the Honor Code and, when necessary, for administering disciplinary sanctions to students found responsible for Honor Code violations. In addition to these responsibilities, I conducted research on race and punishment during my time as a Vice Chair.

7. I further served as a member of the Executive Committee of The Drake Group, an organization that promotes academic integrity in college sports.

8. In addition, I was an Orientation Leader for the Office of New Student and Carolina Parent Programs. As an Orientation Leader, I guided 4,000 incoming first-year and transfer students during 18 orientation sessions. In that role, I facilitated group activities for 20 incoming students per session.

9. I also was a Student Educator at the Morehead Planetarium and Science Center, an appointee to the Provost's Committee on Inclusive Excellence and Diversity, a member of the UNC Men's Project, a peer tutor, and an intern for Minority Male Engagement Coordinator Chris Faison.

### **Diversity at UNC-CH**

10. I am from an area approximately 25 miles from Manhattan in the New Jersey suburbs, to which White people fled when Black people moved into Brooklyn, Queens, and the Bronx. As a result, I have interacted with people of other races for most of my life. Accordingly, the biggest eye-opener for me at UNC-CH was geographic diversity. I had not interacted with many people from the South.

11. Diversity was not the primary reason I chose to attend UNC-CH, but it played a role in my decision. Ultimately, I chose UNC-CH because it was one of my less expensive alternatives and the best value overall with respect to cost and quality of education. But among the colleges and universities to which I applied and was admitted – including the University of Virginia, Swarthmore College, Rutgers University, and the University of Rochester – UNC-CH was the second most diverse. Lack of diversity was the primary reason why I did not apply to Boston College, the University of Notre Dame, Villanova University, and some of the other schools in the area where I grew up.

12. Even though UNC-CH is more racially diverse than some of the other schools to which I applied, it is not representative of the State. Some of the other schools in the University of North Carolina system, including UNC-Greensboro and UNC-Charlotte, are much more representative. I felt that UNC-CH could have benefitted from more diversity.

13. Nevertheless, Hinton James Residence Hall, where I lived as a freshman, is a perfect example of the diversity on the UNC-CH campus. I had seven suitemates, all of whom were from different backgrounds and had different academic interests. My roommate was from China and never had been to the United States before. There also were people from several different parts of North Carolina. One of my friends had a roommate who had never interacted with anyone who was not White. Sometimes this diversity created uncomfortable situations, especially for first-year students who were just beginning to explore their identities. Importantly, however, the diversity in Hinton James facilitated experiences based on more than just appearance.

14. Although I had a great overall experience at UNC-CH and benefitted somewhat from the diversity on campus, I also experienced significant isolation and tokenism. In several of my classes, I was one of ten or fewer students – and sometimes even the only student – who was Black or a person of color. In a 200-person class, I could sometimes count the number of Blacks and Latinos on one hand.

15. Often, as a person of color, I brought a different perspective to a class discussion. In my constitutional history class, for example, I was the only Black student. Because many people watch Law and Order or similar television shows, they have idealized conceptions of America's judicial process. When we discussed *Lawrence v. Texas*, which struck down a sodomy law in Texas, I noted that the case actually began with a complaint that a Black man was waving a gun. That observation highlighted the fact that most cases are multi-faceted, with no one conception of the truth. Absent my presence, the class conversation would not have gone in that direction; rather, it would have been missing a component.

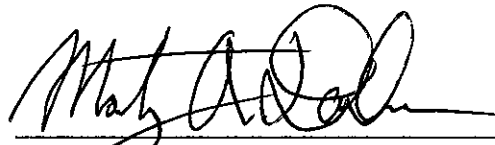
16. Similarly, as an orientation leader, I led several 15- to 30-minute discussions of diversity following various events. For example, when one student called another student a derogatory term for being gay, I was able to start a discussion about diversity with 20 people I did not know yet and who did not know each other yet. That is an example of a situation in which talking about diversity and being around diverse people had a clear impact. It takes some effort to speak about diversity, and the new student orientation program would not have been as effective if the team of orientation leaders had not been diverse.

### Conclusion

17. Diversity cannot be found within one person. It is in the collective. While the diversity-related programming at UNC-CH benefitted me significantly, there is more work to be done. If UNC-CH is to continue providing its students with a quality education, diversity must be considered.

I declare under the penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on: 7/24/17

  
Marty Davidson